

# **EXHIBIT 6**

## Sana Mayat

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**From:** Schemitsch, John (Law) <jschemit@law.nyc.gov>  
**Sent:** Monday, September 25, 2023 10:16 AM  
**To:** Anna Friedberg; Neufeld, Sheryl (Law); Scheiner, Alan (Law); khaas; Powell, Jeffrey K. (USANYS) 4; Iodice, Ashley (Law); Wolecki, Hilary; ksimpson; Debbie Greenberger; Jonathan S. Abady; Vasudha Talla; Sana Mayat; Brar, Jenu (Law); Khan, Mariam (LAW); Mooklal, Stefan (LAW); Relkin, Rachel (Law); Waite, Tisha (Law); Eshkenazi, Lara (USANYS); Joyce, Kimberly (DOC); Oestericher, Jeffrey (USANYS); Brar, Jenu (Law); Corsi, Alexandra (Law); Hiraoka JR., Joseph (LAW); Iodice, Ashley (Law); Khan, Mariam (LAW); Mooklal, Stefan (LAW); Neufeld, Sheryl (Law); Peralta, Yando (LAW); Relkin, Rachel (Law); Savasta, Nancy (Law); Scheiner, Alan (Law); Waite, Tisha (Law); Blain, Ellen (USANYS); Connard, Christopher; mlwerlwas  
**Cc:** Steve Martin; Nunez-NYC  
**Subject:** RE: [EXTERNAL] Nunez: Monitoring Team's Response to July 28, 2023 Requests

**This Message originated outside your organization.**

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Good morning,

As to the request for records related to Curtis Davis, this incident remains under investigation and the documents related to that incident are subject to law enforcement privilege. As to the request for records pertaining to Joshua Valles, this request is moot as this pertains to person in custody No. 5 under the interim protective order.

Best,  
John

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**From:** Anna Friedberg <afriedberg@tillidgroup.com>  
**Sent:** Saturday, September 23, 2023 7:48 AM  
**To:** Schemitsch, John (Law) <jschemit@law.nyc.gov>; Neufeld, Sheryl (Law) <sneufeld@law.nyc.gov>; Scheiner, Alan (Law) <ascheine@law.nyc.gov>; Katherine Haas <khaas@legal-aid.org>; Powell, Jeffrey K. (USANYS) 4 <Jeffrey.Powell@usdoj.gov>; Iodice, Ashley (Law) <aiodice@law.nyc.gov>; Wolecki, Hilary <Hilary.Wolecki@doc.nyc.gov>; Simpson, Kayla <KSimpson@legal-aid.org>; Debbie Greenberger <dgreenberger@ecbawm.com>; Jonathan S. Abady <jabady@ecbawm.com>; Vasudha Talla <vtalla@ecbawm.com>; Sana Mayat <smayat@ecbawm.com>; Brar, Jenu (Law) <jbrar@law.nyc.gov>; Khan, Mariam (LAW) <markhan@law.nyc.gov>; Mooklal, Stefan (LAW) <smooklal@law.nyc.gov>; Relkin, Rachel (Law) <rrelkin@law.nyc.gov>; Waite, Tisha (Law) <twait@law.nyc.gov>; Eshkenazi, Lara (USANYS) <Lara.Eshkenazi@usdoj.gov>; Joyce, Kimberly (DOC) <Kimberly.Joyce@doc.nyc.gov>; Oestericher, Jeffrey (USANYS) <Jeffrey.Oestericher@usdoj.gov>; Brar, Jenu (Law) <jbrar@law.nyc.gov>; Corsi, Alexandra (Law) <acorsi@law.nyc.gov>; Hiraoka JR., Joseph (LAW) <jhiraoka@law.nyc.gov>; Iodice, Ashley (Law) <aiodice@law.nyc.gov>; Khan, Mariam (LAW) <markhan@law.nyc.gov>; Mooklal, Stefan (LAW) <smooklal@law.nyc.gov>; Neufeld, Sheryl (Law) <sneufeld@law.nyc.gov>; Peralta, Yando (LAW) <yperalta@law.nyc.gov>; Relkin, Rachel (Law) <rrelkin@law.nyc.gov>; Savasta, Nancy (Law) <nsavasta@law.nyc.gov>; Scheiner, Alan (Law) <ascheine@law.nyc.gov>; Waite, Tisha (Law) <twait@law.nyc.gov>; Blain, Ellen (USANYS) <Ellen.Blain@usdoj.gov>; Connard, Christopher <Christopher.Connard@doc.nyc.gov>; Mary Lynne Werlwas (MLWerlwas@legal-aid.org) <MLWerlwas@legal-aid.org>  
**Cc:** Steve Martin <sjmart@sbcglobal.net>; Nunez-NYC <nunez-nyc@tillidgroup.com>  
**Subject:** RE: [EXTERNAL] Nunez: Monitoring Team's Response to July 28, 2023 Requests

Hello John (and City Colleagues),

The Monitoring Team has evaluated the City's responses to Plaintiffs' requests and have identified two outstanding items. Can you please advise on your position as soon as possible?

August 31, 2023 Request 9 (All records related to the 2023 deaths in custody listed below to the extent not already produced), we believe that the City's 9/21 response did not address all of the files requested as identified in yellow highlight in the chart below.

September 6, 2023 Follow-up Question 11 – awaiting response from the City

Thanks,  
Anna

In-Custody Death Records for Marvin Pines	2/4/2023	August 31, 2023 Request 9	Withhold due to Law En
In-Custody Death Records for Rubu Zhao	5/16/2023	August 31, 2023 Request 9	Moot as this pertains to pe under the interim p
In-Custody Death Records for Joshua Valles	5/27/2023	August 31, 2023 Request 9	Awaiting City
In-Custody Death Records for Felix Tavares	7/4/2023	August 31, 2023 Request 9	Withhold due to Law En
In-Custody Death Records for Ricky Howell	7/6/2023	August 31, 2023 Request 9	Objection Based
In-Custody Death Records for William Johnstone	7/15/2023	August 31, 2023 Request 9	Withhold due to Law En
In-Custody Death Records for Curtis Davis	7/23/2023	August 31, 2023 Request 9	Awaiting City
In-Custody Death Records for Donny Ubiera	8/22/2023	August 31, 2023 Request 9	Withhold due to Law En

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Anna E. Friedberg

Tillid - President  
178 Columbus Avenue, # 230842  
New York, NY 10023-9998  
T: 1.646.895.6567 | M: 1.917.584.6434  
[afriedberg@tillidgroup.com](mailto:afriedberg@tillidgroup.com)  
[www.tillidgroup.com](http://www.tillidgroup.com)

**From:** Schemitsch, John (Law) <[jschemit@law.nyc.gov](mailto:jschemit@law.nyc.gov)>

**Sent:** Thursday, September 21, 2023 5:57 PM

**To:** Anna Friedberg <[afriedberg@tillidgroup.com](mailto:afriedberg@tillidgroup.com)>; Neufeld, Sheryl (Law) <[sneufeld@law.nyc.gov](mailto:sneufeld@law.nyc.gov)>; Scheiner, Alan (Law) <[ascheine@law.nyc.gov](mailto:ascheine@law.nyc.gov)>; Katherine Haas <[khaas@legal-aid.org](mailto:khaas@legal-aid.org)>; Powell, Jeffrey K. (USANYS) 4 <[Jeffrey.Powell@usdoj.gov](mailto:Jeffrey.Powell@usdoj.gov)>; Iodice, Ashley (Law) <[aiodice@law.nyc.gov](mailto:aiodice@law.nyc.gov)>; Wolecki, Hilary <[Hilary.Wolecki@doc.nyc.gov](mailto:Hilary.Wolecki@doc.nyc.gov)>; Simpson, Kayla <[KSimpson@legal-aid.org](mailto:KSimpson@legal-aid.org)>; Debbie Greenberger <[dgreenberger@ecbawm.com](mailto:dgreenberger@ecbawm.com)>; Jonathan S. Abady <[jabady@ecbawm.com](mailto:jabady@ecbawm.com)>; Vasudha Talla <[vtalla@ecbawm.com](mailto:vtalla@ecbawm.com)>; Sana Mayat <[smayat@ecbawm.com](mailto:smayat@ecbawm.com)>; Brar, Jenu (Law) <[jbrar@law.nyc.gov](mailto:jbrar@law.nyc.gov)>; Khan, Mariam (LAW) <[markhan@law.nyc.gov](mailto:markhan@law.nyc.gov)>; Mooklal, Stefan (LAW) <[smooklal@law.nyc.gov](mailto:smooklal@law.nyc.gov)>; Relkin, Rachel (Law) <[rrelkin@law.nyc.gov](mailto:rrelkin@law.nyc.gov)>; Waite, Tisha (Law) <[twait@law.nyc.gov](mailto:twait@law.nyc.gov)>; Eshkenazi, Lara (USANYS) <[Lara.Eshkenazi@usdoj.gov](mailto:Lara.Eshkenazi@usdoj.gov)>; Joyce, Kimberly (DOC) <[Kimberly.Joyce@doc.nyc.gov](mailto:Kimberly.Joyce@doc.nyc.gov)>; Oestericher, Jeffrey (USANYS) <[Jeffrey.Oestericher@usdoj.gov](mailto:Jeffrey.Oestericher@usdoj.gov)>; Brar, Jenu (Law) <[jbrar@law.nyc.gov](mailto:jbrar@law.nyc.gov)>; Corsi, Alexandra (Law) <[acorsi@law.nyc.gov](mailto:acorsi@law.nyc.gov)>; Hiraoka JR., Joseph (LAW) <[jhiraoka@law.nyc.gov](mailto:jhiraoka@law.nyc.gov)>; Iodice, Ashley (Law) <[aiodice@law.nyc.gov](mailto:aiodice@law.nyc.gov)>; Khan, Mariam (LAW) <[markhan@law.nyc.gov](mailto:markhan@law.nyc.gov)>; Mooklal, Stefan (LAW) <[smooklal@law.nyc.gov](mailto:smooklal@law.nyc.gov)>; Neufeld, Sheryl (Law) <[sneufeld@law.nyc.gov](mailto:sneufeld@law.nyc.gov)>; Peralta, Yando (LAW) <[yperalta@law.nyc.gov](mailto:yperalta@law.nyc.gov)>; Relkin, Rachel (Law) <[rrelkin@law.nyc.gov](mailto:rrelkin@law.nyc.gov)>; Savasta, Nancy (Law) <[nsavasta@law.nyc.gov](mailto:nsavasta@law.nyc.gov)>;

Scheiner, Alan (Law) <[ascheine@law.nyc.gov](mailto:ascheine@law.nyc.gov)>; Waite, Tisha (Law) <[twait@law.nyc.gov](mailto:twait@law.nyc.gov)>; Blain, Ellen (USANYS) <[Ellen.Blain@usdoj.gov](mailto:Ellen.Blain@usdoj.gov)>; Connard, Christopher <[Christopher.Connard@doc.nyc.gov](mailto:Christopher.Connard@doc.nyc.gov)>; Mary Lynne Werlwas ([MLWerlwas@legal-aid.org](mailto:MLWerlwas@legal-aid.org)) <[MLWerlwas@legal-aid.org](mailto:MLWerlwas@legal-aid.org)>

Cc: Steve Martin <[sjmart@sbcglobal.net](mailto:sjmart@sbcglobal.net)>; Nunez-NYC <[nunez-nyc@tillidgroup.com](mailto:nunez-nyc@tillidgroup.com)>

Subject: RE: [EXTERNAL] Nunez: Monitoring Team's Response to July 28, 2023 Requests

Good afternoon:

Please see defendants' additional responses (in blue) below.

**Records related to the July 15, 2023 in-custody death.**

The death in custody which occurred on July 15, 2023 remains under investigation and the documents related to that incident are subject to law enforcement privilege.

**August 31, 2023 Request 3:** The complete Investigation Division files for the following use of force incidents, as well as any information related to the incidents regarding 1) immediate corrective actions (including but not limited to immediate suspensions) taken; 2) any informal discipline such as command discipline imposed; and 3) whether formal disciplinary charges were filed, the status of the proceedings on such charges, and the disposition of such charges.

Incidents 0581/23, 0798/23, 1091/23, 1493/23, 1534/23, 1544/23, 1598/23, 1703/23, 1798/23, 1951/23, and 2062/23 remain open and under investigation and are subject to law enforcement privilege. The remaining requested investigation division files should be designed as "Confidential Materials" pursuant to paragraphs 2(a), 2(d), and 2(i).

**August 31, 2023 Request 9:** All records related to the 2023 deaths in custody listed below to the extent not already produced. Certain of these files have been produced already.

The deaths in custody which occurred on February 4, 2023, July 4, 2023, July 15, 2023, and August 22, 2023 remain under investigation and the documents related to those incidents are subject to law enforcement privilege. The death in custody which occurred on July 6, 2023 occurred due to natural causes; defendants object to the production of documents related this incident as it is outside the scope of this case and there is no basis for this request. Defendants further note that the request for documents pertaining to the death in custody which occurred on May 16, 2023 is moot as this pertains to person in custody No. 2 under the interim protective order.

Best,

**John Schemitsch**

Senior Counsel

Pronouns: he/him

New York City Law Department

Special Federal Litigation Division

100 Church Street, Room 3-222

New York, NY 10007

(212) 356-3539

[jschemit@law.nyc.gov](mailto:jschemit@law.nyc.gov)